REMARKS

Claims 1-14 are pending in this application, of which claims 1, 2 and 11 have been amended. No new claims have been added.

Claims 1-7 and 11-12 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent 3,463,145 to Whitaker (hereafter "<u>Whitaker</u>") in view of <u>Hoshino</u> (previously applied).

Applicants respectfully traverse this rejection.

Whitaker discloses a heavily padded chair that has a basic configuration of an ogee curve. The chair is mounted on a pair of spaced vertically disposed supports that arise from a suitable base. The aforesaid supports are so connected to the bottom of the chair that the chair may be moved from a near horizontal to a near vertical position when the controls located on one arm of the chair are operated. The controls activate an electric motor that is suitably connected to movement mechanism of the chair by means of a screw shaft.

<u>Hoshino</u> has been cited for teaching a curved saddle support, which <u>Whitaker</u> fails to disclose.

As admitted by the Examiner, in the therapeutic chair of <u>Whitaker</u> the "user's legs dangle off the edge of the seat and thus touch the ground." This is in contrast to the present invention, in which the user's feet are received in foot plates 3, mounted on the base, as shown in FIG. 1 and as disclosed on page 4, lines 26-30 of the specification of the instant application. In the present invention, the relative positional displacement between each foot plate position and the center of gravity of the user through the coupling mechanism, which is this Reissue Application in accordance with Title 37, Code of Federal Regulations, §1.56, and that no application for patent or inventor's certificate of this invention has been filed in any country foreign to the United States prior to filing of Application Serial No. 08/843,160 (from which Patent 6,040,057 issued) by me or my legal representatives or assigns.

6

<u>Bavaresco</u> has been cited for teaching a saddle width adjuster but, like the other cited references, fails to teach or suggest the features recited in the amendments to claims 1 and 11, from which these claims depend.

Thus, the 35 U.S.C. §103(a) rejection should be withdrawn.

Claims 8-9 and 13-14 stand rejected under 35 U.S.C. §103(a) as unpatentable over **Whitaker** in view of **Hoshino** and further in view of **Jamieson** (previously applied).

Applicants respectfully traverse this rejection.

<u>Jamieson</u> has been cited for teaching a saddle width adjuster but, like the other cited references, fails to teach or suggest the feature recited in the amendments to claim 1 and 4, from which these claims depend.

Thus, 35 U.S.C. §103(a) rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, claims 1-14, as amended, are in condition for allowance, which action, at an early date, is respectfully solicited.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105.

Dated: March 23, 2009

Respectfully submitted,

William L. Brooks

Registration No.: 34,129

EDWARDS ANGELL PALMER & DODGE LLP

P.O. Box 55874

Boston, Massachusetts 02205

(202) 478-7376

Attorneys/Agents For Applicant